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**FACSIMILE TRANSMITTAL  
COVER SHEET**

**Date:** July 8, 2003

**No. of Pages (including this page):** 7

**To:** Examiner Aaron J. Lewis  
U.S. Patent and Trademark Office  
Alexandria, VA 22313-1450

Group Art Unit: 3761

Phone:

Fax: 703-872-9302

**From:** Karl G. Hanson  
Office of Intellectual Property Counsel  
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Application No.: 09/837800

First Named Inventor: Japuntich, Daniel A.

Title: FILTERING FACE MASK THAT HAS A NEW EXHALATION VALVE

Case No.: 48317US033

Attachments: Communication with copy of June 6, 2003 Office Action and copy of mailing envelope

**FAX RECEIVED**

**JUL 08 2003**

**GROUP 3700**

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PATENT TRADEMARK OFFICE

Patent  
Case No.: 48317US033

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JAPONICH, DANIEL A.  
Application No.: 09/837800 Group Art Unit: 3761  
Filed: April 18, 2001 Examiner: Aaron J. Lewis  
Title: FILTERING FACE MASK THAT HAS A NEW EXHALATION  
VALVE

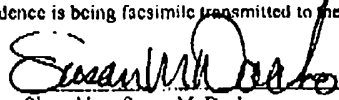
GROUP 3700

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COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION	
To Fax No.: 703-872-9302	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
July 8, 2003	
Date	Signed by: Susan M. Dacko

Dear Sir:

On July 3, 2003, applicants received the attached Office Action from the United States Patent and Trademark Office. This Office Action indicates that it was mailed on June 6, 2003. The postmark on the envelope into which the Office Action was contained is dated June 30, 2003. Accordingly, applicants ask the United States Patent and Trademark Office to restart the one-month period for response so that applicant is given the opportunity to make a timely response to the Office Action.

Respectfully submitted,

July 8, 2003  
Date

By: 

Karl G. Hanson, Reg. No.: 32,900  
Telephone No.: (651) 736-7776

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,800	04/18/2001	Daniel A. Japuntich	48317USA1N.033	9906

32692 7390 06/06/2003

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OFFICE OF INTELLECTUAL

PROPERTY COUNSEL

3M INNOVATIVE PROPERTIES COMPANY

EXAMINER

LEWIS, AARON J

ART UNIT

PAPER NUMBER

3761

DATE MAILED: 06/06/2003

DUE DATE(S)

ATTORNEY  
DOCKETED

REFERRED TO

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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14

DATE MAILED:

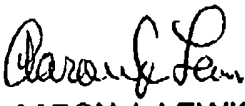
PI ase find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

AARON J. LEWIS  
Primary Examiner  
Art Unit: 3761

1. The reply filed on 03/27/2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): On page 8 of the 03/27/2003 reply, applicant indicated that the rejection cannot be sustained for the reasons presented in applicants Amendment mailed 06/12/2002. A review of the reasons presented in the 06/12/2002 amendment (page 23) finds arguments regarding claims 33-40,44 and 64 relative to French patent 1,209,475 and arguments regarding claims 45-49 and 54 relative to Braun. These arguments are not responsive to the current outstanding Office action (01/28/2003) because the grounds of rejection set forth in this Office action no longer include an art rejection based on French patent 1,209,475. Braun continues to be relied upon to reject claims 83-85; however, applicants' arguments filed 06/12/2002 argue the merits of claims 45-49 and 54 relative to Braun. Cancelled claims 48,49,54 do correspond to claims 83-85, respectively, but applicants' arguments include cancelled claims 45-47 which are no longer applicable to the art rejection upon which Braun is based. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication should be directed to AARON J. LEWIS at telephone number (703) 308-0716.

  
**AARON J. LEWIS**  
Primary Examiner  
Art Unit 3761

**Aaron J. Lewis**

**June 1, 2003**